

### **LISTING OF THE CLAIMS**

Claim 1 (previously presented): A method of inducing weight loss and/or increasing the metabolic consumption of adipose tissue in an individual suffering from obesity,

wherein obesity is selected from the group consisting of Grade I, Grade II and Grade III obesity, wherein Grade I obesity being moderately overweight with BMI values of about 25.0 to 29.9, Grade II obesity being severely overweight with BMI values of about 30 to 39.9, and Grade III obesity being massive or morbid obesity with BMI values of about 40.0 or greater,

wherein the method comprises in combination during a period of time:

(a) administering to the obese individual one or more servings of one or more calcium-containing product(s), wherein the one or more servings comprises an amount of dietary calcium of at least about 773 mg per day, sufficient to induce weight loss, and/or increase the metabolic consumption of adipose tissue; and

(b) restricting said obese individual to a caloric intake below ad lib in a range of about 200 kcal to about 2500 kcal per day,

wherein consuming the calcium-containing product(s) during the period of time produces a benefit attributable to the calcium selected from the group consisting of inducing weight loss and/or increasing the metabolic consumption of adipose tissue in the obese individual, and

wherein the individual is a woman and the one or more servings comprises at least about 57 servings of dairy per month.

Claim 2 (original): The method of claim 1, wherein dietary calcium is administered daily in an amount of at least about 1000 mg/day.

Claim 3 (previously presented): The method of claim 1, further comprising informing the individual that consumption of the calcium-containing product can induce weight loss or reduce weight gain.

Claim 4 (original): The method of claim 1, further comprising determining dietary calcium consumption of the individual and (1) if the dietary calcium consumption is below 1000 mg/day,

increasing the dietary calcium consumption, and (2) if the dietary calcium consumption is at least about 1000 mg/day, maintaining the dietary calcium consumption.

Claim 5 (original): The method of claim 4, wherein the amount of dietary calcium consumed by the individual before administering the sufficient amount of calcium-containing products is less than about 400 mg/day.

Claim 6 (original): The method of claim 4, wherein the amount of dietary calcium consumed by the individual before administering the sufficient amount of calcium-containing products is less than about 773 mg/day.

Claim 7 (original): The method of claim 1, wherein the daily calcium administered is at least about 1346 mg/day.

Claim 8 (cancelled).

Claim 9 (cancelled).

Claim 10 (previously presented): A method of inducing weight loss and/or increasing the metabolic consumption of adipose tissue in an individual suffering from obesity,

wherein the obesity is selected from the group consisting of Grade I, Grade II and Grade III obesity, Grade I obesity being moderately overweight with BMI values of about 25.0 to 29.9, Grade II obesity being severely overweight with BMI values of about 30 to 39.9, and Grade III obesity being massive or morbid obesity with BMI values of about 40.0 or greater,

wherein the method comprises in combination:

(a) administering to the obese individual on a daily basis one or more servings of dairy products comprising calcium in an amount of at least about 57 servings per month sufficient to induce weight loss, and/or increase the metabolic consumption of adipose tissue in the individual, the one or more servings comprising; and

(b) maintaining said individual on a restricted caloric diet below ad lib in a range of about 200 kcal to about 2500 kcal per day,

wherein consuming the dairy products produces a benefit attributable to the dairy products selected from the group consisting of inducing weight loss and/or increasing the metabolic consumption of adipose tissue in the obese individual, and

wherein the individual is a woman and the one or more servings comprises at least about 773 mg of calcium per day.

Claim 11 (original): The method of claim 10, wherein the dairy products are consumed daily.

Claim 12 (original): The method of claim 10, further comprising determining the dairy consumption of the individual and (1) if the dairy consumption is below about 57 servings/month, increasing the dairy consumption, and (2) if the dairy consumption is at least about 57 servings/month, maintaining the dairy consumption.

Claim 13 (original): The method of claim 10, wherein the amount of dairy consumed by the individual prior to administering the sufficient amount is less than about 57 servings/month.

Claim 14 (previously presented): The method of claim 1, wherein the calcium consumption induces a metabolic change selected from the group consisting of decreasing intracellular calcium concentrations ( $[Ca^{2+}]_i$ ), stimulating lipolysis, inhibiting lipogenesis, increasing the expression of white adipose tissue uncoupling protein 2 (UCP2), reducing serum insulin levels, thermogenesis, and decreasing the levels of calcitrophic hormones.

Claim 15 (original): The method of claim 1, wherein the calcium is contained in milk, yogurt, and/or cheese.

Claim 16 (previously presented): The method of claim 1, comprising administering a calcium-containing dietary supplement, foodstuffs supplemented with calcium, or other foods high in calcium.

Claim 17 (previously presented): The method of claim 1, comprising administering a liquid supplemented with calcium.

Claim 18 (cancelled).

Claim 19 (previously presented): A method of modulating metabolism in an individual suffering from obesity,

wherein the obesity is selected from the group consisting of Grade I, Grade II and Grade III obesity, Grade I obesity being moderately overweight with BMI values of about 25.0 to 29.9, Grade II obesity being severely overweight with BMI values of about 30 to 39.9, and Grade III obesity being massive or morbid obesity with BMI values of about 40.0 or greater,

wherein the method comprises in combination, during a period of time:

(a) administering increased amounts of dietary calcium sufficient to induce weight loss and/or increase the metabolic consumption of adipose tissue in the individual, in an amount of at least about 773 mg per day; and

(b) restricting caloric intake below ad lib in a range of about 200 kcal to about 2500 kcal per day,

wherein consuming the dietary calcium during the period of time produces a benefit of inducing a metabolic change selected from the group consisting of weight loss and/or increasing the metabolic consumption of adipose tissue in the obese individual, and

wherein the individual is a woman and the dietary calcium is contained in a dairy product administered in at least about 57 servings per month.

Claim 20 (previously presented): The method of claim 19, wherein the calcium consumption induces a metabolic change that occurs within adipocytes.

Claim 21 (previously presented): The method of claim 20, wherein the metabolic change comprises decreasing intracellular calcium concentrations ( $[Ca^{2+}]_i$ ), stimulating lipolysis, inhibiting lipogenesis, and increasing the expression of white adipose tissue uncoupling protein 2 (UCP2).

Claim 22 (previously presented): The method of claim 20, wherein the metabolic change comprises reducing serum insulin levels, thermogenesis, and decreasing the levels of calcitrophic hormones.